

IN THE 238th JUDICIAL DISTRICT COURT
MIDLAND COUNTY, TEXAS

Frost
Lacey

STATE OF TEXAS

VS.

NO. CR51328

SEBASTIAN ALEXANDER ZAPATA

SCHEDULING ORDER

The following dates control the disposition of this case pursuant to article 28.01 and 33.03, CCP.

ORDER FOR DISCOVERY

The Court recognizes that the District Attorney of Midland County, Texas has an "open file policy" and makes the file available on Techshare. The Court expects the attorney for the defendant to review the file at the earliest time possible. **The acknowledgment required by Art. 39.14(j) is due at Final Pretrial.**

PRETRIAL MOTIONS

All Pre-trial Motions MUST be filed with the Court on or before the 21st day following the date of arraignment, except standard Motions in Limine. The Court does not consider Motions in Limine which are used in lieu of Suppression Motions as "standard Motions in Limine" and motions of this character must be filed as provided for Pre-trial motions.

The Court will NOT entertain late filed motions, except for good and adequate cause shown by affidavit.

The Defendant and counsel for defendant must be present at the first and final pre-trial conference.

FIRST PRETRIAL CONFERENCE

Pursuant to Article 28.01 of the CCP, a first pretrial conference is scheduled on **May 4, 2018 at 10:45 a.m.**

The purpose of the conference is to review the pending motions, schedule a hearing on any controverted or evidentiary matters, and issue such other orders as the Court deems necessary. Prior to this hearing the State shall advise the Defendant of the terms of any plea offer. **At this hearing the Defendant shall accept or reject any plea offer of Community Supervision. The acceptance of Community Supervision will be contingent upon agreeing to terms of Community Supervision as determined after a Pre-Sentence Investigation Report and before Final Pretrial.** ★★ ★

FINAL PRETRIAL CONFERENCE

Final pre-trial conference is scheduled on **June 8, 2018 at 10:45 a.m.**

The State's attorney and defense attorney should complete pre-trial negotiations **in advance** of the Final Pretrial Conference.

Final Pretrial Conference is the deadline to accept or reject a plea agreement. **The acknowledgement required by Art. 39.14 (j) shall be filed at or before the Final Pretrial Conference.**

NO PLEA AGREEMENT WILL BE ACCEPTED BY THE COURT AFTER THE FINAL PRETRIAL CONFERENCE EXCEPT FOR GOOD CAUSE SHOWN. The Defendant may, subject to the Court's approval and the written approval of the State's attorney, waive a trial by jury and enter an open plea before the Court.

The State and the Defendant will be expected to announce "ready" or "not ready" on the indictment at the Final Pre-trial Conference.

TRIAL DATE

Jury trial is scheduled on **July 30, 2018 at 9:00 a.m.** Attorneys and the Defendant will be expected to be in the courtroom at 8:30 a.m. **All proceedings will be in the 238th District Courtroom.**

Dated: April 6, 2018.

Elizabeth B. Leonard
ELIZABETH B. LEONARD
JUDGE PRESIDING